



Order Filed on February 22, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

**McCABE, WEISBERG & CONWAY, LLC**  
**By: Andrew M. Lubin, Esq. (Atty. I.D.#AL**  
**0814)**  
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Attorneys for Secured Creditor: Citizens Bank of  
PA

IN re:


John J. DiGregorio aka Husband of Patricia M.  
DiGregorio (Deceased)  
Debtors

Case No.: 18-26526-ABA  
Chapter: 13  
Judge: Andrew B. Altenburg Jr.  
Hearing Date: January 4, 2022  
Time: 10:00 a.m.

**ORDER RESOLVING MOTION TO REIMPOSE STAY  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is  
hereby **ORDERED**

**DATED: February 22, 2022**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

This matter having been presented to the Court on motion of Debtor, John J. DiGregorio, by his attorneys, Jenkins and Clayman:

And for good cause shown, it is **ORDERED** that:

- 1) The automatic stay is reinstated as to secured creditor, Citizens Bank of PA;
- 2) As a condition of the stay being reinstated, the hereinafter post-petition arrears shall be cured in the hereinafter described manner:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 2 months, from 8/1/21 to 9/1/21 at \$1,439.88 per month for a total of \$2,879.76.

☒ The Debtor is overdue for 5 payments from 10/1/21 to 2/1/22 at \$1,500.70 per month for a total of \$7,503.50

Subtotal: \$10,383.26

Suspense Balance: (\$1,341.42)

Total Arrearages Due: \$9,041.84

2. Debtor must cure all post-petition arrearages, as follows:

☒ Payment in the amount of \$4,000.00 within 10 days of the entry of this Order on the docket. The payment of \$4,000.00 will reduce the balance of the post-petition arrears to \$5,041.84.

☒ Beginning on March 1, 2022, regular monthly mortgage payment shall continue to be made in the amount of \$1,500.70.

☐ Beginning on \_\_\_\_\_, additional monthly cure payments shall be made in the amount of \$\_\_\_\_\_ for \_\_\_\_\_ month(s).

☒ The amount of \$5,041.84 shall be capitalized in the debtor's Chapter 13 plan. The mortgagee's allowed secured claim shall be amended to include the capitalized post-petition payments listed in this Order to the Proof of Claim as filed. As a result of such capitalization, the Standing Chapter 13 Trustee shall adjust his/her records accordingly and make revised disbursements.

3. Payments to the Secured Creditor shall be made to the following address(es):

<input checked="" type="checkbox"/> Immediate payment:	<u>Citizens Bank of PA</u> <u>P.O. Box 2800</u> <u>Glen Allen, VA 23059</u>
<input checked="" type="checkbox"/> Regular monthly payment:	<u>Same as above</u>
<input type="checkbox"/> Monthly cure payment:	<u>N/A</u>

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above within ten days of the entry of this Order on the docket, Secured Creditor shall be entitled to relief from the automatic stay upon the filing of an Affidavit of Default without any further order from the Court. If the immediate payment is made, but Debtor fails to make any regular monthly payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Property by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor and the Debtor's attorney.

5. In the event the Debtor converts his/her case to a Chapter 11, the terms of the Order shall remain in full force and effect. In the event that the Debtor converts his/her case to a Chapter 7, Debtor shall cure all pre-petition and post-petition arrears within ten (10) days of conversion. Failure to cure the arrears shall constitute an event of default under this Order and Movant may certify default as set forth in paragraph 4 of this order.

6. Award of Attorneys' Fees:

☒ The Secured Creditor is awarded attorney fees of \$500.00 and costs of \$188.00 for the motion for relief and attorney's fees of \$450.00 for its opposition to the Debtor's Motion To Reimpose for a total amount of attorney's fees and costs of \$1,138.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.